

for insisting upon restriction, must explain why there would be a serious burden on the Examiner if restriction is not required. M.P.E.P. § 802.02. The M.P.E.P. does not provide that mere differences in scope between two apparatus claims makes restriction proper. Applicant asserts that, although the claimed subject matter may be classified in different subclasses, restriction between Groups I and II is not proper.

Applicant asserts that the Examiner's assertion that Group I does not contain a fiber optic cable coupling is insufficient reason for a restriction or to establish two-way distinctness. Applicant notes that Group I does contain at least one fiber optic interface, which is recited in both claims 9 and 14. Claim 9 recites "said first digital interface comprises a fiber optic interface," limiting the first digital interface of claim 1. Claim 14 recites a similar limitation for the second digital interface of claim 1. Claim 1 also recites that "said second digital interface is coupled to said first digital interface."

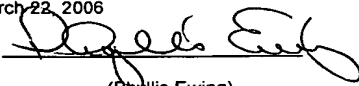
Since claims of both Groups I and II include fiber optic interfaces that are coupled, and the fiber optic interfaces set forth in Group I may clearly use a fiber optic cable, Applicant respectfully asserts that the specific recitation of a fiber optic cable in the claims of Group II does not make that group mutually exclusive with respect to Group I. Therefore, the inventions of Group I and Group II are not distinct as set forth in MPEP § 806.05(c) - § 806.06. Further, Groups I and II will require overlapping fields of search, so there will not be a serious burden on the Examiner to examine all of claims 1-61. Accordingly, Applicant requests that the restriction requirement be withdrawn, and that each of claims 1-61 presently pending in this application be examined.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2380, under Order No. 68144/P007US/10501224 from which the undersigned is authorized to draw.

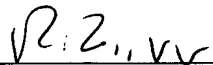
Dated: March 22, 2006

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV568259843US, on the date shown below in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 22, 2006

Signature: 
(Phyllis Ewing)

Respectfully submitted,

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